



# DEPARTMENT OF PUBLIC SAFETY

200 E. Washington Street, Suite E-270, Indianapolis IN, 46204

Telephone: (317) 327-5090 ~ Fax: (317) 327-3446

June 12, 2013

RE: Graffiti Eradication Efficiency Team

Councillor Jeff Miller, Team Lead

Councillor Miller,

Thank you to you and your team for your diligence in seeing this efficiency team's goals met. We met last week where you shared your team's recommendations. I accept your team's recommendations and will assign them as follows:

**Assigned to the Indianapolis Metropolitan Police Department:**

- IMPD will assign one detective to investigate graffiti in community by EOY 2013.
  - Work with Councillor Miller in support of proposed Graffiti Ordinance
  - Coordinate with other agencies on recommendations of the Graffiti Team
  - Develop a cost structure for graffiti removal including vehicle, supplies, staff person.
- They would also work with DCE and DPW in support of this team's recommendations.

Chief Hite has appointed Sgt. Linda Jackson to be the point person for the implementations of these recommendations.

Thank you again for your team's efforts.

Sincerely,

Troy Riggs



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## Graffiti Efficiency Team – Recommendation Overview

1. What division within DPS will “own” the recommendations? DCE, IMPD (Detective), Mayor’s neighborhood liaison, KIB with CrimeWatch coordinators, MAC, Prosecutor’s office
  - a. Do the recommendations fall in the boundaries of said division’s mission and goals?  
Yes—to enhance the quality of life of our citizens
2. Who will serve as ongoing point person for the proposed recommendations?  
Police point person needed, DCE point person
3. What is fiscal impact of each recommendation?  
Possible cost for truck, personnel, and supplies
4. What data is available to substantiate the proposed recommendations?  
Graf. in Indy that is currently visible
5. What is implementation plan for each recommendation?
  - a. Outline implementation timeline—Identify personnel from police and DCE by October. All agreed upon activity to begin in October
  - b. List implementation obstacle: funding, some concerned with too much government oversight
6. Are there any potential media issues that may be tied to proposed recommendations?  
Private property issues in regards to the proposed ordinance requiring timely removal
7. Any potential issues for the Ballard administration that may be tied to the proposed recommendations?  
Same as 6
8. Will the proposed recommendations require changes to municipal code, general orders, etc?  
Municipal Code—Councillor Miller has already introduced an ordinance—included with team information
9. Will be there be issues with labor organizations tied to the proposed recommendations? None
  - a. FOP
  - b. Local 416
  - c. AFSCME
10. Will the recommendations promote the safety and welfare of the public?  
  
Will certainly promote the Welfare of our community by enhancing the quality of life



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Things to do:

--Appoint a point person

--media plan

--develop a major cleanup for October to launch the work and share information about the new ordinance



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## Graffiti Eradication Final Recommendations

### Team Members

Name	Organization
Adamson, Zach	City County Council, At-Large
Beamon, Scott	INGangNetwork
Belch, Todd	Home Depot
Berg, Brian D.	DCE
Blackwood, Glenn	Neighborhood President
Cline, Pat	MIBOR
Collins, Adam	DCE
George, Terry	INDOT
Givens, Kevin	Captain, IFD
Jarzen, Joe	KIB
Laughlin, Fred	IDI
Law, Deborah	MCPO
Mahone, Brian	IMPD Commander NW
Maschmeyer, Anne	IDI
Meredith, Thomas	Sherwin Williams
Miller, Jeff	Chair, City County Council, District 19
Norman, Sara	Neighborhood CrimeWatch
Presley, Lina	INGangNetwork
Pryor, Chris	MIBOR
Rinker, Ann	MCPO
Snyder, Rick	FOP
Uppencamp, Rob	Neighborhood President
Yasukochi, Mike	Sherwin Williams





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## Current state of Graffiti

- There is no local ordinance around graffiti. It is not illegal to leave it on private property.
- There is an abundance of graffiti in the city and the problem is getting worse rather than better.
- As stated in the graffiti ordinance that is being proposed:
  - Graffiti is an environmental public nuisance and destructive of the rights and property values of neighboring property owners as well as the entire community.
  - Graffiti is a visual symbol of disorder and lawlessness.
  - It contributes to a downward spiral of blight and decay, decreasing property values, lessening business viability and adversely affecting tax revenues.
  - When graffiti is not promptly removed or covered, other properties tend to become the target of graffiti, and entire neighborhoods are affected and become less desirable places to be, all to the detriment of the city.
- The Mayor's Action Center (MAC) currently accepts reports of graffiti on public property:
  - In 2012, there were approximately 228 service requests submitted. This is very small compared to most other MAC requests types.
  - After entry in the MAC, the tickets are forwarded to DPW (bridges, parks) or DMD (land bank homes)
- TAG (Taking Away Graffiti) team:
  - This was a Marion County Prosecutor's Office program in place for the past 8 years that abated graffiti on public or private property.
  - The MCPO could not enter private property w/o permission. Graffiti on public (city owned) property was referred back to the appropriate agency (DPW, Indy Parks, etc).
  - There was no budget for the program. All work was done by the MCPO Community Prosecution Division's district coordinator staff.
  - Paint supplies were donated by hardware stores (Cardwell Do It Best, Lowes) or by tox drop and donations were harder and harder to come by.
  - TAG had no power washer for brick or stone.
  - When TAG received a complaint of graffiti, they verified the graffiti, researched the property records to locate the owner, received written permission, and finally scheduled a date to abate. Thus, much time was consumed before the abatement even occurred
  - In 2012, there were 11 days dedicated and 115 locations abated. In 2011, there were 20 s days dedicated and 218 locations abated.
  - The TAG program was eliminated in 2013

## State Law Change

- Many thanks to freshman House Representative Justin Moed for getting the Good Samaritan law updated so that graffiti can be abated on vacant and abandoned properties, starting July 1. This has been a huge issue in the past for groups such as TAG as it is nearly impossible to find the owner. Now it can be abated without locating an owner.

## Model Graffiti Ordinance

- There are many the elements of a model ordinance addressing the problem of graffiti:
  - Defines graffiti



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- Makes leaving graffiti on property illegal
- Establishes an abatement program
- Makes graffiti implements harder to purchase for minors
- Makes possession of graffiti implements in some locations illegal (such as a park)
- Institutes restitution policies (including fines for parents)

## Proposed Local Ordinance

- An ordinance was introduced to the city council this year.
  - It is being reviewed by the Rules and Public Policy Committee.
  - An initial hearing of it was held and testimony was given by several residents and city agencies about the importance of it.
  - It is on hold pending the final report from the Graffiti Eradication Efficiency Team
- Initial focus of the ordinance is on the first two items of the model ordinance. It is very important we make graffiti on private property illegal as it puts in place a system to report graffiti, validate it is truly graffiti, inform a resident/business of the need to abate it, and directs residents to get permission slips filled out if a resident wants to be part of an abatement program. This addresses most of the issues TAG currently spends so much time on.
- There are reasons each of the other items in the model ordinance are not being considered at this point:
  - There is a large start up cost to put a city sponsored abatement program in place, (e.g. high weeds and grass program). That is a long term goal, but not in current proposed ordinance. Additionally, a city driven abatement program will likely come at a cost to the resident, so this will be a concern.
  - There has been push-back on regulating what can be sold in hardware stores due to the high cost to implement with the limited benefit on curbing the problem of graffiti
  - It was felt that the last two items are better handled in a state law, as local ordinances typically don't give power to IMPD, but rather to DCE. So it would be DCE issuing citations for having graffiti implements in a park, which is not likely to work.
- Feedback from the efficiency team on the proposed ordinance:
  - Regarding whether 'permission' for graffiti needs to be in writing, the feeling was that requiring it in writing wasn't necessary. Instead, new verbiage was suggested making it a rebuttable presumption that the graffiti is unauthorized. While people could take advantage of this, taking the 80/20 rule and going after the majority of issues, rather than the fringe cases, seems appropriate at this point.
  - Regarding whether to define graffiti as being on any surface or on any structure, the feeling was we should stick to structures, such as homes, fences, bridges, buildings, etc, but not surfaces such as cars, buses, etc. It was also felt that limiting it to what is publically visible would make sense.
  - Regarding whether to add firmer consequences if graffiti on a public property is not abated in the required time frame, DCE has stated that they wouldn't fine the government if they don't abate graffiti in a certain timeframe. But it isn't felt that there is a current issue with the process. It could potentially become a concern for DMD, which owns a large stock of abandoned homes in the Land Bank. But it would be better to leave things as they stand and monitor the issue over time.





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- We discussed in great depth the decision about what property types to include in the penalty portion of the ordinance: Occupied, Vacant, and/or Abandoned.
  - MIBOR was concerned with anything beyond abandoned properties being penalized as they feel that the punitive nature is a negative
  - For some residents, there is a distrust of code enforcement and this ordinance gives more power to code enforcement, when a property owner isn't necessarily a bad apple and was instead just victimized by the graffiti vandal.
  - We need to work with DCE so they put in place policies that are generous with extensions for abatement in the early phases of the ordinance. This shouldn't be viewed as a revenue source for DCE.
  - That said, we should likely consider a property owner that refuses to abate the graffiti to be a bad apple
  - There could be problems where a neighbor is trying to sell their house but there is graffiti next door. If we don't enforce removal of the graffiti, we would be protecting the property owner unwilling to help improve the neighborhood
  - There are updates to the "Good Samaritan law" coming in July that will allow abatement of graffiti on vacant and abandoned properties, which isn't allowed today. Thus, it seems that we should also be consistent with the penalties applying to at least vacant and abandoned.
  - It is key to remember that the only time the penalty kicks in is if you don't take care of it yourself or work with others to address it
  - The general feeling of many was that without teeth this problem won't get fixed.
  - The final vote on the issue of the scope of penalties: Abandoned = all in favor; Vacant = all in favor except for MIBOR; Occupied = all in favor except for MIBOR
  - MIBOR did say they were feeling more comfortable now that many abatement options were being made available (see below)
- The task force has prepared a suggested amendment to the current proposed ordinance and it will be presented to the Rules and Public Policy Council Committee
- For completeness, we discussed the possibility of having no local ordinance. The concerns were that we lose:
  - A solid definition of graffiti
  - A collection point for graffiti reports via the MAC
  - A mechanism to push owners to either allow us to abate or pushing them to abate themselves. TAG team ran into owners that said "I won't give you permission to abate as I don't like the color of paint you'll be covering it with and I want it left there"
  - May hurt the ability for the Good Samaritan Law to allow people to abate graffiti on vacant/abandoned properties if we don't have a local ordinance defining graffiti.
  - The impact of an ordinance is that the city is saying "We are serious about this issue!"

## KIB's role as a Graffiti Eradication Coordination Agency

- It is critically important to the entire process to have an eradication coordination agency. It provides low cost or even free ways to abate graffiti for a property owner.



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- This could be handled by the IMPD, but it could perhaps be as menacing to receive a letter from IMPD as it is to receive a letter from DCE. At least in this case the letter is an offer to help, but it may still be better to have a non-governmental agency in this role.
- KIB staff has discussed it and is excited to serve the role of this agency.
- It is important to state that KIB isn't responsible for abating graffiti itself, nor for guaranteeing that a given person contacting them will have their graffiti abated.
- Rather, KIB will help link a person wanting assistance with abatement with the opportunities that are out there for abatement.
- KIB will prepare a brochure that is given to DCE, likely something simple and concise. Then, it is sent to people by DCE when the original violation letter goes out.
- KIB will create a webpage with all of the abatement options on it, including:
  - Labor: KIB Block Captains, Neighborhood Crime Watches, CDCs, and Community Courts. It appears the Work Crews program wasn't renewed this year, which is a huge loss.
  - Vouchers/Supplies: Vouchers will be from local businesses for free supplies. Additionally, KIB can receive donations of supplies including blasters to remove graffiti from brick
  - Blitzes: Lilly Day of Service, private sector (such as Citizen's Health Network). MCPO staff may be able to participate in a single day event if staffing allows
  - Murals: Big Car, Arts Council, Parks Foundation
- We suggested the idea of KIB contacting the existing crime watch captains to invite them to become adopt a block captains.
- There are still details to work out with stores offering discounts/vouchers for paint:
  - Perhaps something on the original violation letter from DCE can contain a code on it, such as the unique violation number, which could be shown to the store and the letter could be stamped to indicate paint was redeemed and the letter can't be used again.
  - However, the KIB website should contain some type of code on it for the situations where someone wants to get paint but hasn't gotten a DCE violation letter yet.
  - These are details we can work out in the months to come
  - Sherwin Williams suggested that paint donations be quart sized, as most people don't need a lot of paint. It is also better to color match, if possible, rather than the off-gray color as the only option.
  - The general feeling was that people likely won't abuse this free paint option. People don't need a lot of extra paint sitting around the house, so the only people using the program will likely be those truly in need.
- Regarding the graffiti abatement blitzes, we discussed the idea of an electronic form on the KIB website that can be filled out to register for a blitz. There was some question whether an 'electronic signature' would suffice. As an extra preventative step, before the blitz, a confirmation letter can be sent to everyone that filled out the electronic form. This would prevent someone fraudulently filling out the form for another address.
- Marion County Prosecutor's Office staff and IMPD have provided a list to KIB of the existing inventory of graffiti around the city for a graffiti abatement blitz in the October timeframe.
- It might be nice for the KIB website to be bi-lingual. However, none of the KIB web pages are bi-lingual at this point. There is another efficiency team working on this issue in general, and KIB will reach out to that team for ideas.





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- We discussed that we need some marketing / public service announcements to make people aware of the program, once it is ready to rollout. We could also work with the city on a link on the Indygov website to the graffiti abatement page on the KIB website.
- Definitely need to do all we can to help promote the private partners that decide to help with the program so that it is beneficial to them as well.
- We suggested that October might be a good launch month (with perhaps the DCE punitive stage starting later than October)
- A question was mentioned regarding how should we measure metrics on the success / failure of the program and how can we enhance the ordinance if needed. It was also suggested that we keep in mind that the more successful the program is, the more graffiti cases we get it turned in. So it will initially look really bad, but hopefully we'll see the cases of graffiti drop over time.

## InGangNetwork

- The InGangNetwork (<http://www.ai.org/iifc/2329.htm>) is a component of the Indiana Intelligence Fusion Center's (IIFC's) Gang Intelligence Sharing Project. The purpose of the IIFC's Gang Intelligence Sharing Network is to improve the collection, analysis and sharing of gang intelligence information in the State of Indiana among law enforcement and criminal justice agencies with the intent of preventing, reducing and solving gang criminal activity. This is done in conformance with the privacy and constitutional rights of individuals by housing a database for network members that allows for investigating gang graffiti
- Purdue University VACCINE – Law enforcement members will be given the opportunity to access a gang graffiti/tattoo database. Gang graffiti images will be indexed and stored (time and GPS coordinates) in a database. Additionally, citizens will soon be able to take pictures of graffiti to have it included in the database. This allows faster identification of potential gang graffiti.

## Future changes to the ordinance and/or state law

- We might consider restrictions on minors purchasing paint:
  - Sherwin Williams provided some excellent research on how other cities are handling the limiting of paint sales.
  - Some cities require that the paint be locked in a cabinet.
  - Others required that all spray paint can displays be empty cans.
  - In both cases, the actual spray paint cans are not sold to minors. This could take some legislative changes, and would require coordination with stores like Lowes and Walmart, etc.
  - Home Depot shared ideas regarding using the point of sale system (i.e. the check out register) to require showing ID if any spray paint cans are being purchased. This would be a low cost way to help curb sales to minors.
- We might consider making it illegal to have paint cans in public area (i.e. parks)
- We might consider repercussions on parents for minors committing graffiti actions

## Other Suggestions

- Consider ways to speed up abatement on commonly hit structures:
  - Public structures include traffic control boxes, mailboxes (standard blue color).
  - Private structures include IPL poles, AT&T power boxes, CSX railroad trestles.



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- Perhaps we can work more closely with maintenance crews at USPS, IPL, AT&T, CSX, INDOT, etc on a solution.
- A MIBOR member is working on an interesting initiative, which would provide Graffiti Scholarships to encourage a productive use of artistic talent. So far, the team is:
  - Mary Jo Showley (MIBOR)
  - Carole Darst (former lobbyist for the arts)
  - Nela Swinehart (contemporary art society / IMA)
  - Valerie Eickmeier (Dean Herron School of ART- IUPUI)
  - Craig Von Deylen (Property Owner / Architect)
- It was suggested that during rezoning cases we might ask the petitioner to consider putting commitments on the property for it to be kept graffiti free. This has worked well in some cases.
- Another possibility is requiring registering public art, so we can prevent 'public art' that is really graffiti. Some things to address would be:
  - Which organization would receive the forms and process them
  - Would there be a fee involved and would people give pushback if there is a fee. The fee would need to be reflective of the service being gained, so it would need to be small
  - The overall feeling was it needed more discussion, but that it could work
- Discussed the possibility of getting corporate sponsorship for a Mobile graffiti Van. It could be the companies truck with their logo on it (giving free advertising as they drive around) and the purchase of a paint mixer on the truck would allow for instant color matching
- We may be able to get help from groups like IREF, Habitat for Humanity, Community HealthNet, etc. We need to keep considering partnership with public, private and not-for-profit groups.
- We should continue to work with other cities to see what they are doing: Corpus Christi, Philadelphia Anti-Graffiti Network, etc.

Huge thanks to everyone for all the time they have spent on the efficiency team. We have accomplished a lot together and it is has been thanks to the efforts of everyone brainstorming ideas and putting together a fantastic proposal for solving the city's graffiti issue.





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## Flow Chart

- This flow chart shows how everything ties together
  - Light Blue: Down the left side is the INGangNetwork which allows for collecting graffiti information and locating gang graffiti. This info can be shared with KIB.
  - Light pink: Down the right side in is the ordinance. It is an important piece of the puzzle as it serves as the punitive piece (or the "stick"). It identifies the properties in need of abatement as well as directs those owners to options provided by KIB for abatement.
  - Light gray: Along the bottom in is the role KIB is playing in helping with abatement (or the "carrot"). It helps empower residents to abate the graffiti using many possible tools.

